REGISTER OF CLASSIFICATION DECISIONS

Date of entry in Register:	11 April 2003
Name of applicant/court:	The District Court at Christchurch
Applicant to the Labelling Body:	Not Applicable
Title of Publication:	_MkBy0037.JPG
Other Known Title(s):	Not Stated
Director(s):	Not Applicable
Producer(s):	Not Applicable
Publisher:	Not Applicable
Author(s):	Not Applicable
Format:	Computer Printout
Country of Origin:	Not Applicable
Language(s):	Not Applicable

Components of film originally examined: Not Applicable.

Feature: Running Time:

Trailers: Running Time:

Total Running Time:

Excision/Alteration: Not Applicable.

Reason(s) for Excision:

Not Applicable.

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Classification Decision:

Objectionable.

Display Conditions:

Not Applicable.

Descriptive Note:

Not Applicable.

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Direction to issue a label has been given on: Not Applicable.

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SUMMARY OF THE REASONS FOR DECISION:

The computer printout entitled *_MkBy0037.JPG* is classified as:
Objectionable.

This classification is because the publication promotes and supports the exploitation of children for sexual purposes.

The publication is a computer printout of an image file which contains a colour image. The image explicitly depicts sexual activity involving a boy and an adult male. The image is clearly intended for the sexual arousal of adults with a sexual interest in children. The manner in which the image is presented indicates that it is intended for trading over the Internet with like-minded individuals.

The classification of the publication interferes with the freedom of expression, as outlined in s14 of the New Zealand Bill of Rights Act 1990, but this is an outcome that is consistent with Parliament's intention that publications falling under s3(2) are deemed to be objectionable. The classification is also a reasonable limitation on the freedom of expression that reflects the concern of "a free and democratic society" to limit the availability of publications that promote and support the exploitation of children for sexual purposes.

OFLC No: 201970